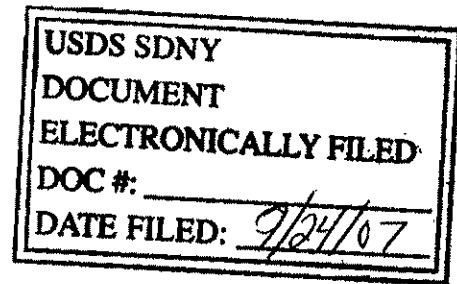


**EXHIBIT D**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
ISHA WESTERN,

Plaintiff,

-against-

AMERIPATH, INC.

Defendant.  
-----X

07 Civ. 6247 (PKC)

ORDER ADVISING THAT  
CASE WILL BE  
DISMISSED FOR FAILURE  
TO APPEAR

P. KEVIN CASTEL, U.S.D.J.

The claim of Ms. Isha Western was transferred to this Court by the United States District Court Southern District of Texas and the transferred case was filed in this Court on July 6, 2007. (Doc # 1) On July 6, 2007, I set a date for a conference in this action of July 27, 2007. (Doc # 2) At the request of a John A. Craner, Esq., who was considering entering a Notice of Appearance for Ms. Western, I adjourned the conference to today, September 21, at 9:30 a.m.(Doc # 5)

Mr. Craner informed the court that he would not be entering a Notice of Appearance. (Doc # 7)

Counsel for the defendant seeks to have the case transferred to White Plains. A response from plaintiff or her counsel was directed to be filed by August 20. (Doc #6). None was filed.

At today's conference, defendant's counsel did appear. There was no appearance by Ms. Western or by any attorney on her behalf.

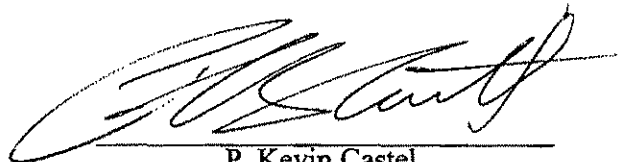
-2-

I will give Ms. Western one, final opportunity to appear. I set this matter for a hearing and conference on October 5, 2007 at 11:45 a.m. in Courtroom 12C of the United States Courthouse, 500 Pearl Street, New York, N.Y.

**MS. WESTERN, YOU ARE ADVISED THAT YOUR FAILURE TO APPEAR IN COURTROOM 12C ON OCTOBER 5, 2007 AT 11:45 A.M. ---EITHER IN PERSON OR BY AN ATTORNEY ADMITTED TO PRACTICE IN THIS COURT WHO HAS FIRST FILED A NOTICE OF APPEARANCE--WILL BE DEEMED A FAILURE TO PROSECUTE THIS ACTION AND WILL RESULT IN A DISMISSAL OF YOUR CASE. A DISMISSAL MEANS THAT YOUR LAWSUIT WILL BE OVER AND THAT YOU WILL RECEIVE NO RELIEF OR RECOVERY.**

The Clerk is directed to mail a copy of this Order to Salar Ali Ahmed, 1301 Travis Street, Suite 1200, Houston TX 77002, counsel for Ms. Western in the Southern District of Texas, and to John A. Craner, Craner, Satkin, Scheer, Schwartz & Arnold, 320 Park Avenue, Scotch Plains, NJ 07076, with requests that they forward same to Ms. Western.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'P. Kevin Castel', is written over a horizontal line.

P. Kevin Castel  
United States District Judge

Dated: New York, New York  
September 21, 2007